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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/056,029 04/30/93 BOYCE

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15M2/1128

EXAMINER

SHELBORNE, K

ART UNIT

PAPER NUMBER

1502

DATE MAILED:

11/28/97

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Paper No. 26

Application Number: 08/056,029

Filing Date: 04/30/93

Appellant(s): Boyce et al

Kirk Teska

For Appellant

EXAMINER'S ANSWER

Art Unit: 1502

This is in response to appellant's brief on appeal filed 01/10/97.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

The brief does not contain a statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief. Therefore, it is presumed that there are none. The Board, however, may exercise its discretion to require an explicit statement as to the existence of any related appeals and interferences.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) *Grouping of Claims*

The rejection of claims 1-4, 6, 7, 9-20, 22 and 24 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall

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together and reasons in support thereof. See 37 CFR 1.192(c)(7).

(8) *Claims Appealed*

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) *Prior Art of Record*

The following is a listing of the prior art of record relied upon in the rejection of claims under appeal.

5,021,107

Holko

6-1991

0783035

Artem

11-1980

(10) *New Prior Art*

No new prior art has been applied in this examiner's answer.

(11) *Grounds of Rejection*

The following ground(s) of rejection are applicable to the appealed claims:

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6, 7, 9-20, 22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Born et al in view of Allum et al.

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Born et al teaches a method of joining composite parts including exposing fibers embedded in the materials to be joined at the surface to be joined and by disposing an adherent in the joint region whereby the joint region is reinforced by the exposed fibers.

That these fibers are intrinsic relates only to the state of mind in putting them there. The fact is that Born et al discloses embedding fibers in a matrix. Regardless of this, Born et al teaches that fibers extending from a material to be joined, into the joint region will reinforce said region. See especially column 2, lines 39-51. Note also that fibers other than those intrinsically contained can be used.

Born et al does not expressly disclose that these fibers which extend into the joint region also extend through the thickness of the material to be joined, but the record does not establish any advantage for ^{and this} ₁ this concept is taught by Allum.

Allum joins bands of paper or fabric by including transversely extending yarns which protrude from the band edges to facilitate side by side joining. Note column 1, line 64 to column 2, line 3 and lines 61-66. That is these bands extend through the thickness in the direction of the material joined. Allum like Born reinforces joined material through exposed fibers. It would be within the skill of the art to anchor the exposed fibers of Born by extending them through the thickness as did Allum since it would have been clear that the exposed fibers could equally have been held in the composite that way. Even without Allum, one skilled in the art would have realized that through the thickness would have been an alternate means for

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anchoring the exposed fibers. Further, relative to reinforcing joint region. Born and Allum are directed to solving the ^{same} problem.
A

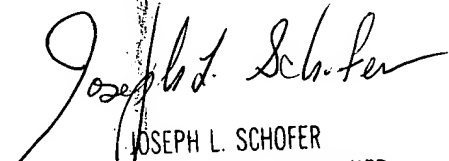
Applicant argue that "composite" is defined at page 3, lines 8 and 9 of the specification and the claims should be interpreted accordingly. This portion of the specification describes the prior art and should not limit the claims which are interpreted in their broadest reasonable sense, consistent with the specification.

(12) New Ground of Rejection

This examiner's answer does not contain any new ground of rejection


For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,


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